



General Assembly

Amendment

January Session, 2007

LCO No. 4136

SB0111204136SD0

Offered by:

SEN. SLOSSBERG, 14th Dist.

REP. CARUSO, 126th Dist.

To: Senate Bill No. 1112

File No.

Cal. No.

"AN ACT CONCERNING THE STATE CONTRACTOR CONTRIBUTION BAN."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 1-79 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 The following terms, when used in this part, shall have the
6 following meanings unless the context otherwise requires:

7 (a) "Blind trust" means a trust established by a public official or state
8 employee or member of his immediate family for the purpose of
9 divestiture of all control and knowledge of assets.

10 (b) "Business with which he is associated" means any sole
11 proprietorship, partnership, firm, corporation, trust or other entity
12 through which business for profit or not for profit is conducted in
13 which the public official or state employee or member of his

14 immediate family is a director, officer, owner, limited or general
15 partner, beneficiary of a trust or holder of stock constituting five per
16 cent or more of the total outstanding stock of any class, provided, a
17 public official or state employee, or member of his immediate family,
18 shall not be deemed to be associated with a not for profit entity solely
19 by virtue of the fact that the public official or state employee or
20 member of his immediate family is an unpaid director or officer of the
21 not for profit entity. "Officer" refers only to the president, executive or
22 senior vice president or treasurer of such business.

23 (c) "Candidate for public office" means any individual who has filed
24 a declaration of candidacy or a petition to appear on the ballot for
25 election as a public official, or who has raised or expended money in
26 furtherance of such candidacy, or who has been nominated for
27 appointment to serve as a public official, but shall not include a
28 candidate for the office of senator or representative in Congress.

29 (d) "Board" means the Citizen's Ethics Advisory Board established
30 in section 1-80.

31 (e) "Gift" means anything of value, which is directly and personally
32 received, unless consideration of equal or greater value is given in
33 return. "Gift" shall not include:

34 (1) A political contribution otherwise reported as required by law or
35 a donation or payment as described in subdivision (9) or (10) of
36 subsection (b) of section 9-601a;

37 (2) Services provided by persons volunteering their time, if
38 provided to aid or promote the success or defeat of any political party,
39 any candidate or candidates for public office or the position of
40 convention delegate or town committee member or any referendum
41 question;

42 (3) A commercially reasonable loan made on terms not more
43 favorable than loans made in the ordinary course of business;

44 (4) A gift received from (A) an individual's spouse, fiance or fiancée,
45 (B) the parent, brother or sister of such spouse or such individual, or
46 (C) the child of such individual or the spouse of such child;

47 (5) Goods or services (A) which are provided to [the state] a state
48 agency or quasi-public agency (i) for use on state or quasi-public
49 agency property, or (ii) [to] that support an event, [or the participation
50 by a public official or state employee at an event,] and (B) which
51 facilitate state or quasi-public agency action or functions. As used in
52 this subdivision, "state property" means (i) property owned by the
53 state or a quasi-public agency, or (ii) property leased to [an agency in
54 the Executive or Judicial Department of the state] a state agency or
55 quasi-public agency;

56 (6) A certificate, plaque or other ceremonial award costing less than
57 one hundred dollars;

58 (7) A rebate, discount or promotional item available to the general
59 public;

60 (8) Printed or recorded informational material germane to state
61 action or functions;

62 (9) Food or beverage or both, costing less than fifty dollars in the
63 aggregate per recipient in a calendar year, and consumed on an
64 occasion or occasions at which the person paying, directly or
65 indirectly, for the food or beverage, or his representative, is in
66 attendance;

67 (10) Food or beverage or both, costing less than fifty dollars per
68 person and consumed at a publicly noticed legislative reception to
69 which all members of the General Assembly are invited and which is
70 hosted not more than once in any calendar year by a lobbyist or
71 business organization. For the purposes of such limit, (A) a reception
72 hosted by a lobbyist who is an individual shall be deemed to have also
73 been hosted by the business organization which he owns or is
74 employed by, and (B) a reception hosted by a business organization

75 shall be deemed to have also been hosted by all owners and employees
76 of the business organization who are lobbyists. In making the
77 calculation for the purposes of such fifty-dollar limit, the donor shall
78 divide the amount spent on food and beverage by the number of
79 persons whom the donor reasonably expects to attend the reception;

80 (11) Food or beverage or both, costing less than fifty dollars per
81 person and consumed at a publicly noticed reception to which all
82 members of the General Assembly from a region of the state are
83 invited and which is hosted not more than once in any calendar year
84 by a lobbyist or business organization. For the purposes of such limit,
85 (A) a reception hosted by a lobbyist who is an individual shall be
86 deemed to have also been hosted by the business organization which
87 he owns or is employed by, and (B) a reception hosted by a business
88 organization shall be deemed to have also been hosted by all owners
89 and employees of the business organization who are lobbyists. In
90 making the calculation for the purposes of such fifty-dollar limit, the
91 donor shall divide the amount spent on food and beverage by the
92 number of persons whom the donor reasonably expects to attend the
93 reception. As used in this subdivision, "region of the state" means the
94 established geographic service area of the organization hosting the
95 reception;

96 (12) A gift, including but not limited to, food or beverage or both,
97 provided by an individual for the celebration of a major life event;

98 (13) Gifts costing less than one hundred dollars in the aggregate or
99 food or beverage provided at a hospitality suite at a meeting or
100 conference of an interstate legislative association, by a person who is
101 not a registrant or is not doing business with the state of Connecticut;

102 (14) Admission to a charitable or civic event, including food and
103 beverage provided at such event, but excluding lodging or travel
104 expenses, at which a public official or state employee participates in
105 his official capacity, provided such admission is provided by the
106 primary sponsoring entity;

107 (15) Anything of value provided by an employer of (A) a public
108 official, (B) a state employee, or (C) a spouse of a public official or state
109 employee, to such official, employee or spouse, provided such benefits
110 are customarily and ordinarily provided to others in similar
111 circumstances; [or]

112 (16) Anything having a value of not more than ten dollars, provided
113 the aggregate value of all things provided by a donor to a recipient
114 under this subdivision in any calendar year shall not exceed fifty
115 dollars; or

116 (17) Training that is provided by a vendor for a product purchased
117 by a state or quasi-public agency which is offered to all customers of
118 such vendor.

119 (f) "Immediate family" means any spouse, children or dependent
120 relatives who reside in the individual's household.

121 (g) "Individual" means a natural person.

122 (h) "Member of an advisory board" means any individual (1)
123 appointed by a public official as an advisor or consultant or member of
124 a committee, commission or council established to advise, recommend
125 or consult with a public official or branch of government or committee
126 thereof, (2) who receives no public funds other than per diem
127 payments or reimbursement for his actual and necessary expenses
128 incurred in the performance of his official duties, and (3) who has no
129 authority to expend any public funds or to exercise the power of the
130 state.

131 (i) "Person" means an individual, sole proprietorship, trust,
132 corporation, limited liability company, union, association, firm,
133 partnership, committee, club or other organization or group of
134 persons.

135 (j) "Political contribution" has the same meaning as in section 9-601a
136 except that for purposes of this part, the provisions of subsection (b) of

137 that section shall not apply.

138 (k) "Public official" means any state-wide elected officer, any
139 member or member-elect of the General Assembly, any person
140 appointed to any office of the legislative, judicial or executive branch
141 of state government by the Governor or an appointee of the Governor,
142 with or without the advice and consent of the General Assembly, any
143 public member or representative of the teachers' unions or state
144 employees' unions appointed to the Investment Advisory Council
145 pursuant to subsection (a) of section 3-13b, any person appointed or
146 elected by the General Assembly or by any member of either house
147 thereof, and any member or director of a quasi-public agency, but shall
148 not include a member of an advisory board, a judge of any court either
149 elected or appointed or a senator or representative in Congress.

150 (l) "Quasi-public agency" means the Connecticut Development
151 Authority, Connecticut Innovations, Incorporated, Connecticut Health
152 and Education Facilities Authority, Connecticut Higher Education
153 Supplemental Loan Authority, Connecticut Housing Finance
154 Authority, Connecticut Housing Authority, Connecticut Resources
155 Recovery Authority, Lower Fairfield County Convention Center
156 Authority, Capital City Economic Development Authority and
157 Connecticut Lottery Corporation.

158 (m) "State employee" means any employee in the executive,
159 legislative or judicial branch of state government, whether in the
160 classified or unclassified service and whether full or part-time, and any
161 employee of a quasi-public agency, but shall not include a judge of any
162 court, either elected or appointed.

163 (n) "Trust" means a trust in which any public official or state
164 employee or member of his immediate family has a present or future
165 interest which exceeds ten per cent of the value of the trust or exceeds
166 fifty thousand dollars, whichever is less, but shall not include blind
167 trusts.

168 (o) "Business organization" means a sole proprietorship,

169 corporation, limited liability company, association, firm or partnership,
170 other than a client lobbyist, which is owned by, or employs, one or
171 more individual lobbyists.

172 (p) "Client lobbyist" means a person on behalf of whom lobbying
173 takes place and who makes expenditures for lobbying and in
174 furtherance of lobbying.

175 (q) "Necessary expenses" means a public official's or state
176 employee's expenses for an article, appearance or speech or for
177 participation at an event, in his official capacity, which shall be limited
178 to necessary travel expenses, lodging for the nights before, of and after
179 the appearance, speech or event, meals and any related conference or
180 seminar registration fees.

181 (r) "Lobbyist" and "registrant" shall be construed as defined in
182 section 1-91.

183 (s) "Legal defense fund" means a fund established for the payment
184 of legal expenses of a public official or state employee incurred as a
185 result of defending himself or herself in an administrative, civil,
186 criminal or constitutional proceeding concerning matters related to the
187 official's or employee's service or employment with the state or a
188 quasi-public agency.

189 (t) "State agency" means any office, department, board, council,
190 commission, institution, constituent unit of the state system of higher
191 education, vocational-technical school or other agency in the executive,
192 legislative or judicial branch of state government.

193 Sec. 502. Section 1-84 of the general statutes is repealed and the
194 following is substituted in lieu thereof (*Effective from passage*):

195 (a) No public official or state employee shall, while serving as such,
196 have any financial interest in, or engage in, any business, employment,
197 transaction or professional activity, which is in substantial conflict with
198 the proper discharge of his duties or employment in the public interest

199 and of his responsibilities as prescribed in the laws of this state, as
200 defined in section 1-85.

201 (b) No public official or state employee shall accept other
202 employment which will either impair his independence of judgment as
203 to his official duties or employment or require him, or induce him, to
204 disclose confidential information acquired by him in the course of and
205 by reason of his official duties.

206 (c) No public official or state employee shall wilfully and knowingly
207 disclose, for financial gain, to any other person, confidential
208 information acquired by him in the course of and by reason of his
209 official duties or employment and no public official or state employee
210 shall use his public office or position or any confidential information
211 received through his holding such public office or position to obtain
212 financial gain for himself, his spouse, child, child's spouse, parent,
213 brother or sister or a business with which he is associated.

214 (d) No public official or state employee or employee of such public
215 official or state employee shall agree to accept, or be a member or
216 employee of a partnership, association, professional corporation or
217 sole proprietorship which partnership, association, professional
218 corporation or sole proprietorship agrees to accept any employment,
219 fee or other thing of value, or portion thereof, for appearing, agreeing
220 to appear, or taking any other action on behalf of another person
221 before the Department of Banking, the Claims Commissioner, the
222 Office of Health Care Access, the Insurance Department, the office
223 within the Department of Consumer Protection that carries out the
224 duties and responsibilities of sections 30-2 to 30-68m, inclusive, the
225 Department of Motor Vehicles, the State Insurance and Risk
226 Management Board, the Department of Environmental Protection, the
227 Department of Public Utility Control, the Connecticut Siting Council,
228 the Division of Special Revenue within the Department of Revenue
229 Services, the Gaming Policy Board within the Department of Revenue
230 Services or the Connecticut Real Estate Commission; provided this
231 shall not prohibit any such person from making inquiry for

232 information on behalf of another before any of said commissions or
233 commissioners if no fee or reward is given or promised in consequence
234 thereof. For the purpose of this subsection, partnerships, associations,
235 professional corporations or sole proprietorships refer only to such
236 partnerships, associations, professional corporations or sole
237 proprietorships which have been formed to carry on the business or
238 profession directly relating to the employment, appearing, agreeing to
239 appear or taking of action provided for in this subsection. Nothing in
240 this subsection shall prohibit any employment, appearing, agreeing to
241 appear or taking action before any municipal board, commission or
242 council. Nothing in this subsection shall be construed as applying (1)
243 to the actions of any teaching or research professional employee of a
244 public institution of higher education if such actions are not in
245 violation of any other provision of this chapter, (2) to the actions of any
246 other professional employee of a public institution of higher education
247 if such actions are not compensated and are not in violation of any
248 other provision of this chapter, (3) to any member of a board or
249 commission who receives no compensation other than per diem
250 payments or reimbursement for actual or necessary expenses, or both,
251 incurred in the performance of the member's duties, or (4) to any
252 member or director of a quasi-public agency. Notwithstanding the
253 provisions of this subsection to the contrary, a legislator, an officer of
254 the General Assembly or part-time legislative employee may be or
255 become a member or employee of a firm, partnership, association or
256 professional corporation which represents clients for compensation
257 before agencies listed in this subsection, provided the legislator, officer
258 of the General Assembly or part-time legislative employee shall take
259 no part in any matter involving the agency listed in this subsection and
260 shall not receive compensation from any such matter. Receipt of a
261 previously established salary, not based on the current or anticipated
262 business of the firm, partnership, association or professional
263 corporation involving the agencies listed in this subsection, shall be
264 permitted.

265 (e) No legislative commissioner or his partners, employees or

266 associates shall represent any person subject to the provisions of part II
267 concerning the promotion of or opposition to legislation before the
268 General Assembly, or accept any employment which includes an
269 agreement or understanding to influence, or which is inconsistent
270 with, the performance of his official duties.

271 (f) No person shall offer or give to a public official or state employee
272 or candidate for public office or his spouse, his parent, brother, sister
273 or child or spouse of such child or a business with which he is
274 associated, anything of value, including, but not limited to, a gift, loan,
275 political contribution, reward or promise of future employment based
276 on any understanding that the vote, official action or judgment of the
277 public official, state employee or candidate for public office would be
278 or had been influenced thereby.

279 (g) No public official or state employee or candidate for public office
280 shall solicit or accept anything of value, including but not limited to, a
281 gift, loan, political contribution, reward or promise of future
282 employment based on any understanding that the vote, official action
283 or judgment of the public official or state employee or candidate for
284 public office would be or had been influenced thereby.

285 (h) Nothing in subsection (f) or (g) of this section shall be construed
286 (1) to apply to any promise made in violation of subdivision (6) of
287 section 9-622, or (2) to permit any activity otherwise prohibited in
288 section 53a-147 or 53a-148.

289 (i) No public official or state employee or member of the official or
290 employee's immediate family or a business with which he is associated
291 shall enter into any contract with the state, valued at one hundred
292 dollars or more, other than a contract of employment as a state
293 employee or pursuant to a court appointment, unless the contract has
294 been awarded through an open and public process, including prior
295 public offer and subsequent public disclosure of all proposals
296 considered and the contract awarded. In no event shall an executive
297 head of an agency, as defined in section 4-166, including a

298 commissioner of a department, or an executive head of a quasi-public
299 agency, as defined in section 1-79, or the executive head's immediate
300 family or a business with which he is associated enter into any contract
301 with that agency or quasi-public agency. Nothing in this subsection
302 shall be construed as applying to any public official who is appointed
303 as a member of the executive branch or as a member or director of a
304 quasi-public agency and who receives no compensation other than per
305 diem payments or reimbursement for actual or necessary expenses, or
306 both, incurred in the performance of the public official's duties unless
307 such public official has authority or control over the subject matter of
308 the contract. Any contract made in violation of this subsection shall be
309 voidable by a court of competent jurisdiction if the suit is commenced
310 not later than one hundred eighty days after the making of the
311 contract.

312 (j) No public official, state employee or candidate for public office,
313 or a member of any such person's staff or immediate family shall
314 knowingly accept any gift, as defined in subsection (e) of section 1-79,
315 from a person known to be a registrant or anyone known to be acting
316 on behalf of a registrant.

317 (k) No public official, spouse of the Governor or state employee
318 shall accept a fee or honorarium for an article, appearance or speech, or
319 for participation at an event, in the public official's, spouse's or state
320 employee's official capacity, provided a public official, Governor's
321 spouse or state employee may receive payment or reimbursement for
322 necessary expenses for any such activity in his or her official capacity.
323 If a public official, Governor's spouse or state employee receives such a
324 payment or reimbursement for lodging or out-of-state travel, or both,
325 the public official, Governor's spouse or state employee shall, not later
326 than thirty days thereafter, file a report of the payment or
327 reimbursement with the Office of State Ethics, unless the payment or
328 reimbursement is provided by the federal government or another state
329 government. If a public official, Governor's spouse or state employee
330 does not file such report within such period, either intentionally or due
331 to gross negligence on the public official's, Governor's spouse's or state

332 employee's part, the public official, Governor's spouse or state
333 employee shall return the payment or reimbursement. If any failure to
334 file such report is not intentional or due to gross negligence on the part
335 of the public official, Governor's spouse or state employee, the public
336 official, Governor's spouse or state employee shall not be subject to any
337 penalty under this chapter. When a public official, Governor's spouse
338 or state employee attends an event in this state in the public official's,
339 Governor's spouse's or state employee's official capacity and as a
340 principal speaker at such event and receives admission to or food or
341 beverage at such event from the sponsor of the event, such admission
342 or food or beverage shall not be considered a gift and no report shall
343 be required from such public official, spouse or state employee or from
344 the sponsor of the event.

345 (l) No public official or state employee, or any person acting on
346 behalf of a public official or state employee, shall wilfully and
347 knowingly interfere with, influence, direct or solicit existing or new
348 lobbying contracts, agreements or business relationships for or on
349 behalf of any person.

350 (m) No public official or state employee shall knowingly accept,
351 directly or indirectly, any gift, as defined in subsection (e) of section 1-
352 79, from any person the public official or state employee knows or has
353 reason to know: (1) Is doing business with or seeking to do business
354 with the department or agency in which the public official or state
355 employee is employed; (2) is engaged in activities which are directly
356 regulated by such department or agency; or (3) is prequalified under
357 section 4a-100. No person shall knowingly give, directly or indirectly,
358 any gift or gifts in violation of this provision. For the purposes of this
359 subsection, the exclusion to the term "gift" in subdivision (12) of
360 subsection (e) of section 1-79 for a gift for the celebration of a major life
361 event shall not apply. Any person prohibited from making a gift under
362 this subsection shall report to the Office of State Ethics any solicitation
363 of a gift from such person by a state employee or public official.

364 (n) (1) As used in this subsection, (A) "investment services" means

365 investment legal services, investment banking services, investment
366 advisory services, underwriting services, financial advisory services or
367 brokerage firm services, and (B) "principal of an investment services
368 firm" means (i) an individual who is a director of or has an ownership
369 interest in an investment services firm, except for an individual who
370 owns less than five per cent of the shares of an investment services
371 firm which is a publicly traded corporation, (ii) an individual who is
372 employed by an investment services firm as president, treasurer, or
373 executive or senior vice president, (iii) an employee of such an
374 investment services firm who has managerial or discretionary
375 responsibilities with respect to any investment services, (iv) the spouse
376 or dependent child of an individual described in this subparagraph, or
377 (v) a political committee established by or on behalf of an individual
378 described in this subparagraph.

379 (2) The State Treasurer shall not pay any compensation, expenses or
380 fees or issue any contract to any firm which provides investment
381 services when (A) a political committee, as defined in section 9-601,
382 established by such firm, or (B) a principal of the investment services
383 firm has made a contribution, as defined in section 9-601a, to, or
384 solicited contributions on behalf of, any exploratory committee or
385 candidate committee, as defined in section 9-601, established by the
386 State Treasurer as a candidate for nomination or election to the office
387 of State Treasurer. The State Treasurer shall not pay any compensation,
388 expenses or fees or issue any contract to such firms or principals
389 during the term of office as State Treasurer, including, for an
390 incumbent State Treasurer seeking reelection, any remainder of the
391 current term of office.

392 (o) If (1) any person (A) is doing business with or seeking to do
393 business with the department or agency in which a public official or
394 state employee is employed, or (B) is engaged in activities which are
395 directly regulated by such department or agency, and (2) such person
396 or a representative of such person gives to such public official or state
397 employee anything of value which is subject to the reporting
398 requirements pursuant to subsection (e) of section 1-96, such person or

399 representative shall, not later than ten days thereafter, give such
400 recipient and the executive head of the recipient's department or
401 agency a written report stating the name of the donor, a description of
402 the item or items given, the value of such items and the cumulative
403 value of all items given to such recipient during that calendar year.
404 The provisions of this subsection shall not apply to a political
405 contribution otherwise reported as required by law.

406 (p) (1) No public official or state employee or member of the
407 immediate family of a public official or state employee shall knowingly
408 accept, directly or indirectly, any gift costing one hundred dollars or
409 more from a public official or state employee who is under the
410 supervision of such public official or state employee.

411 (2) No public official or state employee or member of the immediate
412 family of a public official or state employee shall knowingly accept,
413 directly or indirectly, any gift costing one hundred dollars or more
414 from a public official or state employee who is a supervisor of such
415 public official or state employee.

416 (3) No public official or state employee shall knowingly give,
417 directly or indirectly, any gift in violation of subdivision (1) or (2) of
418 this subsection.

419 [(q) No public official or state employee shall knowingly accept,
420 directly or indirectly, any goods or services provided to the state under
421 subdivision (5) of subsection (e) of section 1-79 by a person prohibited
422 from making gifts to public officials and state employees under this
423 section or section 1-97.]

424 [(r)] (q) No public official or state employee shall counsel, authorize
425 or otherwise sanction action that violates any provision of this part.

426 Sec. 503. (NEW) (*Effective from passage*) Nothing in chapter 10 of the
427 general statutes shall prohibit the donation of goods or services, as
428 described in subdivision (5) of subsection (e) of section 1-79 of the
429 general statutes, as amended by this act, to a state agency or quasi-

430 public agency or the donation of the use of facilities to facilitate state or
431 quasi-public agency action or functions. As used in this section, "state
432 agency" and "quasi-public agency" have the same meanings as
433 provided in section 1-79 of the general statutes, as amended by this act.

434 Sec. 504. Section 1-91 of the general statutes is repealed and the
435 following is substituted in lieu thereof (*Effective from passage*):

436 When used in this part, unless the context otherwise requires:

437 (a) "Administrative action" means any action or nonaction of any
438 executive agency of the state with respect to the proposal, drafting,
439 development, consideration, amendment, adoption or repeal of any
440 rule, regulation or utility rate, and any action or nonaction of any
441 executive agency or quasi-public agency, as defined in section 1-79,
442 regarding a contract, grant, award, purchasing agreement, loan, bond,
443 certificate, license, permit or any other matter which is within the
444 official jurisdiction or cognizance of such an agency.

445 (b) "Candidate for public office" means any person who has filed a
446 declaration of candidacy or a petition to appear on the ballot for
447 election as a public official, or who has raised or expended money in
448 furtherance of such candidacy, or who has been nominated for
449 appointment to serve as a public official; but shall not include a
450 candidate for the office of senator or representative in Congress.

451 (c) "Board" means the Citizen's Ethics Advisory Board established
452 under section 1-80.

453 (d) "Compensation" means any value received or to be received by a
454 person acting as a lobbyist, whether in the form of a fee, salary or
455 forbearance.

456 (e) "Executive agency" means a commission, board, agency, or other
457 body or official in the executive branch of the state government and
458 any independent body of the state government that is not a part of the
459 legislative or judicial branch.

460 (f) "Expenditure" means any advance, conveyance, deposit,
461 distribution, transfer of funds, loan, payment, unless expressly
462 excluded; any payments for telephone, mailing, postage, printing and
463 other clerical or office services and materials; any paid
464 communications, costing fifty dollars or more in any calendar year,
465 disseminated by means of any printing, broadcasting or other
466 medium, provided such communications refer to pending
467 administrative or legislative action; any contract, agreement, promise
468 or other obligation; any solicitation or solicitations, costing fifty dollars
469 or more in the aggregate for any calendar year, of other persons to
470 communicate with a public official or state employee for the purpose
471 of influencing any legislative or administrative act and any pledge,
472 subscription of money or anything of value. "Expenditure" shall not
473 include the payment of a registrant's fee pursuant to section 1-95, any
474 expenditure made by any club, committee, partnership, organization,
475 business, union, association or corporation for the purpose of
476 publishing a newsletter or other release to its members, shareholders
477 or employees, or contributions, membership dues or other fees paid to
478 associations, nonstock corporations or tax-exempt organizations under
479 Section 501(c) of the Internal Revenue Code of 1986, or any subsequent
480 corresponding internal revenue code of the United States, as from time
481 to time amended.

482 (g) "Gift" means anything of value, which is directly and personally
483 received, unless consideration of equal or greater value is given in
484 return. "Gift" shall not include:

485 (1) A political contribution otherwise reported as required by law or
486 a donation or payment described in subdivision (9) or (10) of
487 subsection (b) of section 9-601a;

488 (2) Services provided by persons volunteering their time, if
489 provided to aid or promote the success or defeat of any political party,
490 any candidate or candidates for public office or the position of
491 convention delegate or town committee member or any referendum
492 question;

493 (3) A commercially reasonable loan made on terms not more
494 favorable than loans made in the ordinary course of business;

495 (4) A gift received from (A) the individual's spouse, fiance or
496 fiancée, (B) the parent, brother or sister of such spouse or such
497 individual, or (C) the child of such individual or the spouse of such
498 child;

499 (5) Goods or services (A) which are provided to [the state] a state
500 agency or quasi-public agency (i) for use on state or quasi-public
501 agency property, or (ii) [to] that support an event, [or the participation
502 by a public official or state employee at an event,] and (B) which
503 facilitate state or quasi-public agency action or functions. As used in
504 this subdivision, "state property" means (i) property owned by the
505 state or a quasi-public agency, or (ii) property leased to [an agency in
506 the Executive or Judicial Department of the state] a state or quasi-
507 public agency;

508 (6) A certificate, plaque or other ceremonial award costing less than
509 one hundred dollars;

510 (7) A rebate, discount or promotional item available to the general
511 public;

512 (8) Printed or recorded informational material germane to state
513 action or functions;

514 (9) Food or beverage or both, costing less than fifty dollars in the
515 aggregate per recipient in a calendar year, and consumed on an
516 occasion or occasions at which the person paying, directly or
517 indirectly, for the food or beverage, or his representative, is in
518 attendance;

519 (10) Food or beverage or both, costing less than fifty dollars per
520 person and consumed at a publicly noticed legislative reception to
521 which all members of the General Assembly are invited and which is
522 hosted not more than once in any calendar year by a lobbyist or

523 business organization. For the purposes of such limit, (A) a reception
524 hosted by a lobbyist who is an individual shall be deemed to have also
525 been hosted by the business organization which he owns or is
526 employed by, and (B) a reception hosted by a business organization
527 shall be deemed to have also been hosted by all owners and employees
528 of the business organization who are lobbyists. In making the
529 calculation for the purposes of such fifty-dollar limit, the donor shall
530 divide the amount spent on food and beverage by the number of
531 persons whom the donor reasonably expects to attend the reception;

532 (11) Food or beverage or both, costing less than fifty dollars per
533 person and consumed at a publicly noticed reception to which all
534 members of the General Assembly from a region of the state are
535 invited and which is hosted not more than once in any calendar year
536 by a lobbyist or business organization. For the purposes of such limit,
537 (A) a reception hosted by a lobbyist who is an individual shall be
538 deemed to have also been hosted by the business organization which
539 he owns or is employed by, and (B) a reception hosted by a business
540 organization shall be deemed to have also been hosted by all owners
541 and employees of the business organization who are lobbyists. In
542 making the calculation for the purposes of such fifty-dollar limit, the
543 donor shall divide the amount spent on food and beverage by the
544 number of persons whom the donor reasonably expects to attend the
545 reception. As used in this subdivision, "region of the state" means the
546 established geographic service area of the organization hosting the
547 reception;

548 (12) A gift, including but not limited to, food or beverage or both,
549 provided by an individual for the celebration of a major life event;

550 (13) Gifts costing less than one hundred dollars in the aggregate or
551 food or beverage provided at a hospitality suite at a meeting or
552 conference of an interstate legislative association, by a person who is
553 not a registrant or is not doing business with the state of Connecticut;

554 (14) Admission to a charitable or civic event, including food and

555 beverage provided at such event, but excluding lodging or travel
556 expenses, at which a public official or state employee participates in
557 his official capacity, provided such admission is provided by the
558 primary sponsoring entity;

559 (15) Anything of value provided by an employer of (A) a public
560 official, (B) a state employee, or (C) a spouse of a public official or state
561 employee, to such official, employee or spouse, provided such benefits
562 are customarily and ordinarily provided to others in similar
563 circumstances; [or]

564 (16) Anything having a value of not more than ten dollars, provided
565 the aggregate value of all things provided by a donor to a recipient
566 under this subdivision in any calendar year shall not exceed fifty
567 dollars; or

568 (17) Training that is provided by a vendor for a product purchased
569 by a state or quasi-public agency which is offered to all customers of
570 such vendor.

571 (h) "Immediate family" means any spouse, dependent children or
572 dependent relatives who reside in the individual's household.

573 (i) "Individual" means a natural person.

574 (j) "Legislative action" means introduction, sponsorship,
575 consideration, debate, amendment, passage, defeat, approval, veto,
576 overriding of a veto or any other official action or nonaction with
577 regard to any bill, resolution, amendment, nomination, appointment,
578 report, or any other matter pending or proposed in a committee or in
579 either house of the legislature, or any matter which is within the
580 official jurisdiction or cognizance of the legislature.

581 (k) "Lobbying" means communicating directly or soliciting others to
582 communicate with any official or his staff in the legislative or executive
583 branch of government or in a quasi-public agency, for the purpose of
584 influencing any legislative or administrative action except that the

585 term "lobbying" does not include (1) communications by or on behalf
586 of a party to, or an intervenor in, a contested case, as described in
587 regulations adopted by the commission in accordance with the
588 provisions of chapter 54, before an executive agency or a quasi-public
589 agency, as defined in section 1-79, (2) communications by a
590 representative of a vendor or by an employee of the registered client
591 lobbyist which representative or employee acts as a salesperson and
592 does not otherwise engage in lobbying regarding any administrative
593 action, (3) communications by an attorney made while engaging in the
594 practice of law and regarding any matter other than legislative action
595 as defined in subsection (j) of this section or the proposal, drafting,
596 development, consideration, amendment, adoption or repeal of any
597 rule or regulation, or (4) other communications exempted by
598 regulations adopted by the commission in accordance with the
599 provisions of chapter 54.

600 (l) "Lobbyist" means a person who in lobbying and in furtherance of
601 lobbying makes or agrees to make expenditures, or receives or agrees
602 to receive compensation, reimbursement, or both, and such
603 compensation, reimbursement or expenditures are two thousand
604 dollars or more in any calendar year or the combined amount thereof
605 is two thousand dollars or more in any such calendar year. Lobbyist
606 shall not include:

607 (1) A public official, employee of a branch of state government or a
608 subdivision thereof, or elected or appointed official of a municipality
609 or his designee other than an independent contractor, who is acting
610 within the scope of his authority or employment;

611 (2) A publisher, owner or an employee of the press, radio or
612 television while disseminating news or editorial comment to the
613 general public in the ordinary course of business;

614 (3) An individual representing himself or another person before the
615 legislature or a state agency other than for the purpose of influencing
616 legislative or administrative action;

617 (4) Any individual or employee who receives no compensation or
618 reimbursement specifically for lobbying and who limits his activities
619 solely to formal appearances to give testimony before public sessions
620 of committees of the General Assembly or public hearings of state
621 agencies and who, if he testifies, registers his appearance in the records
622 of such committees or agencies;

623 (5) A member of an advisory board acting within the scope of his
624 appointment;

625 (6) A senator or representative in Congress acting within the scope
626 of his office;

627 (7) Any person who receives no compensation or reimbursement
628 specifically for lobbying and who spends no more than five hours in
629 furtherance of lobbying unless such person (A) exclusive of salary,
630 receives compensation or makes expenditures, or both, of two
631 thousand dollars or more in any calendar year for lobbying or the
632 combined amount thereof is two thousand dollars or more in any such
633 calendar year, or (B) expends fifty dollars or more for the benefit of a
634 public official in the legislative or executive branch, a member of his
635 staff or immediate family;

636 (8) A communicator lobbyist who receives or agrees to receive
637 compensation, reimbursement, or both, the aggregate amount of which
638 is less than two thousand dollars from each client in any calendar year.

639 (m) "Member of an advisory board" means any person appointed by
640 a public official as an advisor or consultant or member of a committee,
641 commission or council established to advise, recommend or consult
642 with a public official or branch of government or committee thereof
643 and who receives no public funds other than per diem payments or
644 reimbursement for his actual and necessary expenses incurred in the
645 performance of his official duties and who has no authority to expend
646 any public funds or to exercise the power of the state.

647 (n) "Person" means an individual, a business, corporation, limited

648 liability company, union, association, firm, partnership, committee,
649 club or other organization or group of persons.

650 (o) "Political contribution" has the same meaning as in section 9-601a
651 except that for purposes of this part, the provisions of subsection (b) of
652 that section shall not apply.

653 (p) "Public official" means any state-wide elected state officer, any
654 member or member-elect of the General Assembly, any person
655 appointed to any office of the legislative, judicial or executive branch
656 of state government by the Governor, with or without the advice and
657 consent of the General Assembly and any person appointed or elected
658 by the General Assembly or any member of either house thereof; but
659 shall not include a member of an advisory board or a senator or
660 representative in Congress.

661 (q) "Registrant" means a person who is required to register pursuant
662 to section 1-94.

663 (r) "Reimbursement" means any money or thing of value received or
664 to be received in the form of payment for expenses as a lobbyist, not
665 including compensation.

666 (s) "State employee" means any employee in the executive, judicial
667 or legislative branch of state government, whether in the classified or
668 unclassified service and whether full or part-time.

669 (t) "Business organization" means a sole proprietorship, corporation,
670 limited liability company, association, firm or partnership, other than a
671 client lobbyist, which is owned by, or employs one or more individual
672 lobbyists.

673 (u) "Client lobbyist" means a lobbyist on behalf of whom lobbying
674 takes place and who makes expenditures for lobbying and in
675 furtherance of lobbying.

676 (v) "Communicator lobbyist" means a lobbyist who communicates
677 directly or solicits others to communicate with an official or his staff in

678 the legislative or executive branch of government or in a quasi-public
679 agency for the purpose of influencing legislative or administrative
680 action.

681 (w) "State agency" means any office, department, board, council,
682 commission, institution, constituent unit of the state system of higher
683 education, vocational-technical school or other agency in the executive,
684 legislative or judicial branch of state government.

685 (x) "Quasi-public agency" means quasi-public agency, as defined in
686 section 1-79, as amended by this act.

687 Sec. 505. Section 1-101nn of the general statutes is repealed and the
688 following is substituted in lieu thereof (*Effective from passage*):

689 (a) Notwithstanding any provision of the general statutes, no person
690 who (1) is, or is seeking to be, prequalified under section 4a-100, (2) is a
691 party to a large state construction or procurement contract or seeking
692 to enter into such a contract with a state agency, board, commission or
693 institution or a quasi-public agency, or (3) is a party to a consultant
694 services contract or seeking to enter into such a contract with a state
695 agency, board, commission or institution or a quasi-public agency,
696 shall:

697 (A) With the intent to obtain a competitive advantage over other
698 bidders, solicit any information from a public official or state employee
699 that the contractor knows is not and will not be available to other
700 bidders for a large state construction or procurement contract that the
701 contractor is seeking;

702 (B) Intentionally, wilfully or with reckless disregard for the truth,
703 charge a state agency, board, commission or institution or quasi-public
704 agency for work not performed or goods not provided, including
705 submitting meritless change orders in bad faith with the sole intention
706 of increasing the contract price without authorization and, falsifying
707 invoices or bills or charging unreasonable and unsubstantiated rates
708 for services or unreasonable and unsubstantiated prices for goods to a

709 state agency, board, commission or institution or quasi-public agency;
710 [or]

711 (C) Intentionally or wilfully violate or attempt to circumvent state
712 competitive bidding and ethics laws; or

713 (D) With the intent to unduly influence the award of a state contract,
714 provide or direct another person to provide information concerning
715 the donation of goods and services to a state agency or quasi-public
716 agency, to the procurement staff of any state agency or quasi-public
717 agency or a member of a bid selection committee.

718 (b) No person with whom a state agency, board, commission or
719 institution or quasi-public agency has contracted to provide consulting
720 services to plan specifications for any contract and no business with
721 which the person is associated may serve as a consultant to any person
722 seeking to obtain such contract, serve as a contractor for such contract
723 or serve as a subcontractor or consultant to the person awarded such
724 contract.

725 (c) Any person who violates any provision of this section may be
726 deemed a nonresponsible bidder by a state agency, board, commission
727 or institution or quasi-public agency.

728 Sec. 506. (NEW) (*Effective from passage*) Notwithstanding any
729 provision of the general statutes, for purposes of chapter 10 of the
730 general statutes, no foundation or alumni association established for
731 the benefit of a constituent unit of public higher education or
732 vocational-technical school shall be deemed to be doing business with
733 or seeking to do business with such constituent unit of public higher
734 education or vocational-technical school."